98TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
No. 98-4

ESTABLISHING A SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

FEBRUARY 7, 1983.—Referred to the House Calendar and ordered to be printed

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Mr. FROST, from the Committee on Rules,
submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H. Res. 49]

The Committee on Rules, having had under consideration House Resolution 49, report the same to the House with the recommendation that the resolution do pass.

BACKGROUND AND LEGISLATIVE HISTORY

The Select Committee on Narcotics Abuse and Control was first established on July 29, 1976, with the passage of House Resolution 1350 and it has been reconstituted by the House in each succeeding Congress. The Select Committee was most recently authorized by House Resolution 13 on February 25, 1981. That authority expired at the end of the 97th Congress and House Resolution 49 proposes continuation of the Select Committee for the 98th Congress. The jurisdiction and authority granted by House Resolution 49 is substantially the same as that granted by the previous resolution. However, membership on the Select Committee would be increased from nineteen to twenty-five. This increase is designed to broaden geographical representation, increase participation of standing committees, and accommodate greater participation by members who served as ex officio members during the past Congress.

The Select Committee was created to study and review the problems of narcotics, drug and polydrug abuse and control in the United States and narcotics trafficking of a national and international nature. Drug abuse has reached epidemic proportions in the

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United States and international illicit drug trafficking shows no signs of abatement. The Select Committee provides a forum for comprehensive study and oversight of drug-related matters. The sole function of the Select Committee is to study and recommend; it has no legislative jurisdiction. The Select Committee is empowered to make recommendations for legislative initiatives to the appropriate standing committees. Jurisdiction over narcotics and drug trafficking and related matters is fragmented among at least eight House committees including: Agriculture, Armed Services, Energy and Commerce, Foreign Affairs, Government Operations, Judiciary, Merchant Marine and Fisheries and Ways and Means. Federal resources devoted to drug abuse and control are splintered with more than one hundred agencies and offices involved or having some responsibility in tis area. These complex issues encompass a broad range of policy concerns including law enforcement, health care delivery, international relations, national security, the administration of criminal justice and currency and foreign transactions. To assure a coordinated congressional approach to oversight of drug related matters the resolution mandates that at least one member of the Select Committee shall be appointed from each of the eight standing committees of jurisdiction. The 1982 annual report of the Select Committee describes its oversight responsibility as follows:

The Select Committee possesses oversight, but not legislative, jurisdiction. The committee is both a fact-finding and a coordinating body. Through its hearings and other activities, the committee provides an overview of the drug abuse problem, focuses public and congressional attention on critical drug-related issues, and supports action by the standing committees of the House with legislative jurisdiction for narcotics abuse and control. Although not empowered to report legislation, the Select Committee recommends legislative initiatives to the appropriate standing committees and assists their legislative efforts. To facilitate a coordinated approach to drug abuse issues by the House, the Select Committee's membership includes representatives from eight standing committees with jurisdiction over various aspects of drug abuse prevention and control.

During the 96th Congress the Select Committee conducted a study to determine how the House could most effectively continue its comprehensive oversight of the complex problem of controlling the illicit production, manufacture, traffic and abuse of narcotic and psychotropic substances when the work of the Select Committee is terminated. After comprehensive study of the alternatives, the Select Committee recommended that the House establish a permanent special oversight committee on drug abuse and control with authority, responsibilities, membership and budget basically the same as the Select Committee. These recommendations were contained in a report entitled, "Recommendations for Continued House Oversight of Drug Abuse Problems" (House Report 96-1380). Due to the numerous changes in the membership of the House in the 97th Congress, its leadership in both parties and the changes in certain chairmanships of the standing committees, the Select Committee was urged to defer efforts to seek a permanent drug oversight committee until the full membership of the House had sufficient time to study in detail the Select Committee's reconstitution.

During the 97th Congress the House voted 276 to 101 to reconstitute the Select Committee to continue its oversight over drug abuse and control. House Resolution 49 proposes reconstitution of the Select Committee for the 98th Congress.

ACTIVITIES OF THE SELECT COMMITTEE DURING THE 97TH CONGRESS

Since 1976 the Select Committee has held 110 hearings on a broad range of topics. As part of its annual report for 1981, the Select Committee proposed a series of recommendations to control the worldwide problems of drug abuse and drug trafficking. These recommendations outlined legislation and other initiatives needed to stem international and domestic drug production and trafficking, to provide adequate treatment and prevention services, to enchance research programs and to increase the involvement of the private sector in drug abuse prevention efforts. During the 97th Congress the Select Committee's deliberations resulted in thirteen public hearings focusing on Federal drug law enforcement coordination, DEA/FBI reorganization, the Federal drug strategy, community efforts to prevent and control drug trafficking and drug abuse, the findings of the Select Committee's survey of drug abuse in the military, financial investigations on drug trafficking, look-alike drugs, and impact of budget cuts on local narcotics enforcement. The activities of the Select Committee during the 97th Congress are contained in two annual reports for 1981 and 1982 (House Report 97-418 and House Report 97-992) and its published hearings. Pursuant to the mandate of House Resolution 13, Part II of the Select Committee's annual report for 1981 contained its recommendations for a comprehensive program to control the world-wide problem of drug abuse. In addition, the Select Committee conducted numerous on-going oversight activities including monitoring the progress of the South Florida Task Force on Crime. The Select Committee's work also involved private sector initiatives to encourage greater participation in drug abuse prevention efforts by the entertainment and sports communities. Various legislative initatives of the standing committees were supported by the Select Committee during 1982.

RESOLUTIONS ESTABLISHING THE SELECT COMMITTEE

94th Congress	H. Res. 1350	July 29, 1976.
95th Congress	H. Res. 77	January 11, 1977.
96th Congress	H. Res. 13	March 21, 1979.
97th Congress	H. Res. 13	February 25, 1981.

SUMMARY OF PROVISIONS

House Resolution 49 is substantially the same as House Resolution 13 adopted during the 97th Congress, with the exception of the provision increasing the membership from nineteen to twenty-five. A section-by-section analysis of the resolution follows:

Establishment

There is hereby established in the House of Representatives a Select Committee to be known as the Select Committee on Narcotics Abuse and Control. The continuing problems of drug abuse and drug trafficking are matters of serious national concern. The issues involved, both domestic and international, are extremely complex and cut across a wide range of public policy concerns. Responsibility for these issues, however, is fragmented among a host of House standing committees. The Select Committee on Narcotics Abuse and Control is needed to provide a single unit in the House with the expertise, the resources and the authority to conduct continuing oversight of drug abuse and drug trafficking problems.

Functions

The Select Committee would have no legislative jurisdiction. It is to conduct a continuing oversight and review of the problems of narcotics, drug and polydrug abuse and control, including but not limited to (1) opium and other controlled substances as defined in the Comprehensive Drug Abuse and Prevention and Control Act of 1970 and any drugs abused in combination with other substances; (2) domestic and international trafficking, manufacturing, and distribution; (3) treatment, prevention and rehabilitation; (4) narcotics-related violations of the Internal Review Code of 1954; (5) international treaties and agreements relating to control of narcotics and drug abuse; (6) the role of organized crime in narcotics and drug abuse; (7) problems of narcotics and drug abuse and control in the Armed Forces of the United States; (8) problems of narcotics and drug abuse and control in industry; and (9) the approach of the criminal justice system with respect to narcotics and drug law violations and crimes related to drug abuse. The Select Committee is also required to review recommendations made by the President or by any department or agency of the executive branch of the Federal Government relating to programs or policies affecting narcotics or drug abuse or control.

The Select Committee's authority is limited to oversight and study and its efforts are not intended to interfere with or duplicate the legislative activities of the standing committees since it has no legislative jurisdiction. The Select Committee could make recommendations for legislative action to the appropriate standing committees.

Appointment and membership

House Resolution 49 specifies that the Select Committee shall be composed of twenty-five members appointed by the Speaker, one of whom he shall designate as chairman. This increase from nineteen members during the 97th Congress to twenty-five members is intended to expand the geographical representation of the Select Committee, to increase participation from the standing committees, and accommodate participation of members who have only been able to serve as ex-officio members in the past. The membership of the Select Committee is to include at least one member from each of the following committees of the House: Agriculture, Armed Services, Energy and Commerce, Foreign Affairs, Government Oper-

ations, Judiciary, Merchant Marine and Fisheries and Ways and Means. Vacancies on the Select Committee are to be filled in the same manner as the original appointments. The broad representation from the standing committees enables the Select Committee to utilize the expertise of members who serve on committees with jurisdiction in such areas as health care, prevention, law enforcement and criminal justice, the Armed Services, international affairs, crop eradication and substitution, and governmental organization and efficiency.

Authority and procedures

The Select Committee is authorized to sit and act in the United States or abroad during the 97th Congress whether the House is in session or not and to hold such hearings as it deems necessary. This authority allows the Select Committee the ability to carry out its oversight responsibilities by permitting flexibility in fact gathering.

The provisions of clauses 1, 2, and 3 of Rule XI of the Rules of the House of Representatives are made applicable to the Select Committee. These three clauses of Rule XI provide general authority for and applicability of House rules to committees, outline procedures for committees, and permit broadcasting of committee hearings and meetings. This would include the power to authorize and issue subpoenas. The Select Committee, however, like most standing committees of the House, is prohibited from sitting while the House is considering a measure for amendment under the five-minute rule unless special leave is granted.

Administrative provisions

Subject to the adoption of an expense resolution as required by clause 5 of Rule XI of the Rules of the House of Representatives, the Select Committee may incur expenses in connection with its duties. This provision allows the Select Committee to hire staff, prescribe their duties, set their pay and to terminate employment. It would also allow members and staff to be reimbursed for travel expenses.

Reporting requirements

The Select Committee is required to file an annual report on its activities with the House which shall include a summary of the activities during that calendar year. The Select Committee shall also report to the House the results of any field investigation or inspection it conducts. It is also required to report to the House its recommendations for a comprehensive program to control the world-wide problem of drug abuse and drug trafficking. Reports may be filed with the Clerk of the House when the House is not in session.

QUESTIONNAIRE FOR AUTHOR OF PROPOSED SELECT COMMITTEE

During the 95th Congress the Subcommittee on Rules and Organization of the House (predecessor of Subcommittee on Legislative Process) promulgated "Guidelines for the Establishment of Select Committees." These guidelines recommended that no action be taken on a resolution to establish a Select Committee until the

principal sponsor had written to the Committee to request action and had provided the Committee with the fullest possible discussion of information relating to their proposal. Representatives Rangel and Gilman submitted the following responses to the questionnaire for authors of proposed select committees:

1. What is the current number of Members cosponsoring the resolution?

The resolution has been submitted by Mr. Rangel for himself and Mr. Gilman on January 31, 1983.

Solicitations for cosponsorship will be undertaken immediately. It is anticipated that a wide cross section of the Members, both in terms of Committee assignments and geographical interest will signify their cosponsorship.

2. Will the proposed select committee address an issue of importance to the Nation or to the House as an institution? Please explain.

Yes. The sheer magnitude of drug abuse and drug trafficking in the United States today requires that efforts to prevent these activities be given the highest national priority.

Drug abuse has reached epidemic proportions in our nation and continues to spread, leaving no segment of our society untouched. Over 50 million Americans have used marihuana and 40 percent of these persons are current users. Approximately 450,000 of our citizens are addicted to heroin. An estimated 15 million have used inhalants, and 16 million have used hallucinogens. The abuse of prescription drugs, particularly among the elderly, has become a serious health problem.

Minority populations are disproportionately victimized by drug abuse. Minorities constitute approximately 45 percent of all admissions to drug-treatment programs yet comprise only about 15 percent of the American population.

The use of drugs by our young people has increased alarmingly in recent years. Marihuana is the most popular illicit substance among school-age children and young adults. According to surveys conducted by the National Institute on Drug Abuse (NIDA), marihuana use is highest among persons between the ages of 18 and 25. In 1979, 68 percent of this group had tried the drug, a substantial increase over the 48 percent who had tried marihuana in 1972. Current use of marihuana among this age group increased from 27 percent in 1977 to 35 percent in 1979. The proportion of 12- to 17-year-olds who had tried marihuana increased from 14 percent in 1972 to 31 percent in 1979. Within this age group, the number of current users more than doubled. Among high school seniors alone, the number who tried marihuana increased from 47 percent in 1975 to 60 percent in 1979 and since then has declined only slightly. In 1979 one of every ten high school seniors used marihuana on a daily basis. Although daily use of marihuana among this group has declined over the past two years to less than one in 14 students, such use is still unacceptably high. The evidence continues to mount that marihuana use can cause serious, and sometimes irreversible physiological and psychological impairment. The risks of harm are particularly great for developing children.

Even though the use of marihuana and many other drugs by our young people appears to be leveling off or declining, drug use by

our youth is estimated to exceed that of any other western, industrialized society. Moreover, new drug abuse patterns may also be emerging. For example, within the past two years, the popularity of so-called "look-alike" drugs has sky-rocketed, especially among school-age children. Mimicking the appearance of amphetamines and other commonly abused controlled substances, look-alikes frequently contain potentially lethal combinations of over-the-counter drugs. At least twelve deaths nationwide have been linked to look-alike drugs, and the mushrooming trade in these substances is confronting health, law enforcement and other public officials with a number of difficult problems.

Cocaine, once used by an elite few, has become an increasingly popular drug. During the 1970's, the rate of increase for cocaine use across all age groups was noticeably larger than the rate of increase for marihuana use, From 1978–1982, estimates of U.S. cocaine consumption almost doubled, from about 25 metric tons to 48 metric tons annually. These increases are reflected in the rise of several other cocaine-related indicators. From 1977–1982 cocaine overdose deaths more than tripled, cocaine-related injuries more than doubled and admissions to Federally-funded treatment programs primarily for treatment of cocaine problems increased over 200 percent. Over the same period, Federal seizures of cocaine jumped from 1,802 pounds in 1977 to 11,706 pounds during the first nine months of 1982.

Heroin continues to pose a serious threat to the United States. Although indicators of heroin abuse nationwide declined steadily throughout the latter half of the 1970's, the Northeast and Mid-Atlantic regions of the country have witnessed a dramatic upsurge in heroin abuse since 1979, triggered by an influx of heroin from Southwest Asia. In New York City, the primary port of entry for illicit heroin, heroin emergency room episodes increased 92 percent—from 1,944 to 3,740—between 1979 and 1980 and 14 percent from 1980 to 1981. Through the first six months of 1982, the number was 39 percent higher than the same period in 1981. Similarly, drug related deaths (primarily from heroin) in New York City more than doubled between 1978 and 1980, from 246 to 534. In 1981, the number of drug-related (510) remained at about the 1980 level. Other indicators remain at high levels or continue to climb. Cities in other parts of the country such as Detroit, Los Angeles and San Antonio, are now also showing upward trends in some indicators of heroin use. Nationally, the retail price of heroin fell from $2.27/mg. in the fourth quarter of 1981 to $2.04/mg. in the third quarter of 1982. Over the same period, heroin purity increased almost 40 percent from 3.9 percent/mg. to 5.4 percent/mg. These trends suggest greater availiability of the drug. With the Golden Triangle in Southeast Asia again producing bumper opium crops after several years of drought, heroin availability most likely will continue unabated for some time, fueling even greater heroin addiction and its attendant crime and human suffering.

Smugglers continue to penetrate our shores with record quantities of natcotic drugs. According to the most revent estimates prepared by the National Narcotics Intelligence Consumers Committee, the retail value of drugs sold on the illicit U.S. market rose from $50 billion in 1978 to $88 billion in 1982, a 76 percent in-

crease. Of all the companies included in the Fortune 500 list of the largest U.S. industrial corporations for 1980, only Exxon, with sales of $103 billion exceeded the 1980 revenues of the drug trafficking industry. The two next largest industrial corporations, Mobil and General Motors recorded 1980 sales of $60 billion and $58 billion respectively, far below the illicit sales of drugs. The $80 billion generated by illicit drug trafficking in 1980 also equalled approximately 13 percent of Federal outlays for fiscal year 1980.

The pervasive use of drugs in the United States today and the massive subterranean economy spawned by the demand for drugs creates problems that affect every congressional district. Drug abuse and drug trafficking impair the health, safety and welfare of the American people and undermine our social, economic and political values and institutions. The costs of drug abuse and drug trafficking, including crime, lost productivity, lost revenues, Federal expenditures for drug programs, drug-related deaths and injuries and human suffering are staggering. Unfortunately, these problems will not go away but will require the continued commitment of all our available resources to bring them under control.

3. What standing committees may have jurisdiction over the subject matter of the proposed select committee and what portion of such standing committee/subcommittee jurisdiction will the proposed select committee include in its jurisdictional authority?

Drug abuse jurisdiction in the House is scattered among a multitude of standing committees. Reflecting this fragmentation of jurisdiction, and in the interest of promoting comprehensive and coordinated oversight of drug abuse issues, H. Res. 49 would require that the Select Committee's membership include at least one representative from each of eight standing committees with key aspects of drug abuse jurisdiction: the Committee on Agriculture (crop substitution and eradication); the Committee on Armed Services (drugs in the military and military assistance to civilian drug enforcement efforts); the Committee on Government Operations (executive branch reorganizations affecting drug agencies and the overall economy and efficiency of government operations); the Committee on Foreign Affairs (international narcotics control matters); the Committee on Energy and Commerce (demand reduction including drug treatment and prevention activities carried out by the National Institute on Drug Abuse, as well as concurrent jurisdiction with Judiciary over the Controlled Substance Act (CSA) and the Drug Enforcement Administration (DEA)); the Committee on the Judiciary (drug law enforcement including DEA and the CSA); the Committee on Merchant Marine and Fisheries (Coast Guard); and the Committee on Ways and Means (U.S. Customs Service, tax-related aspects of narcotics trafficking investigations, and health care and facilities supported by payroll deductions).

Other committees as well exercise jurisdiction over drug-related matters. For example, during the 96th Congress, the Committee on Banking, Finance and Urban Affairs considered and reported legislation to amend the Bank Secrecy Act (H.R. 5961) pertaining to unreported movements of currency stemming from illicit drug transactions. In the 97th Congress, the Banking Oversight and Renegotiation Subcommittee held oversight hearings on enforcement of the Bank Secrecy Act. The Committee on Veterans' Affairs exercises

jurisdiction over drug treatment and rehabilitation programs for veterans pursuant to its Rule X responsibilities for veterans' hospitals, medical care and treatment of veterans. The jurisdiction of the Education and Labor Committee includes the Alcohol and Drug Abuse Education Program within the Department of Education. That Committee's jurisdiction also includes alcohol and drug abuse in the work force and work place, a serious problem of growing concern, and encompasses other issues that bear directly on drug abuse prevention and control such as vocational rehabilitation, juvenile delinquency and prevention, and runaway youths.

The above discussion is by no means a complete analysis of drug abuse jurisdiction within the House. Obviously, for instance, the actions of the Appropriations and Budget Committees have significant implications for the nation's drug abuse and drug trafficking prevention and control efforts. Moreover, as new issues emerge, the interests of other Committees may be affected. For example, the increasing use of Federal lands in national parks and forests for clandestine marihuana cultivation raises concerns that fall within the jurisdiction of the Interior Committee as well as the Agriculutre Committee. Indeed, the ramifications of drug abuse are so complex and cut across so many different subject areas that other committees with an interest in the problem could undoubtedly find a way to exercise jurisdiction.

Under H. Res. 49 the Select Committee on Narcotics Abuse and Control would not have legislative jurisdiction. Consequently, it would not encroach upon the legislative prerogatives of the standing committees or impede the legislative process by requiring the referral of drug-related measures to an additional committee. The Select Committee's primary mandate under H. Res. 49 would be to conduct continuing oversight and review of the problems of narcotics, drug and polydrug abuse and control. This broad authority, empowering the Committee to examine drug abuse problems in their entirely, would include, but not be limited to, the study and review of: the abuse and control of opium and its derivatives, other narcotic drugs, psychotropics, and other controlled substances as defined in the Comprehensive Drug Abuse Prevention and Control Act of 1970, and any such drug or substance when used in combination with any other substance; domestic and international trafficking, manufacturing, and distribution; treatment, prevention, and rehabilitation; narcotics-related violations of the Internal Revenue Code of 1954; international treaties and agreements relating to the control of narcotics and drug abuse; the role of organized crime in narcotics and drug abuse; problems of narcotics and drug abuse and control in the Armed Forces of the United States; problems of narcotics and drug abuse and control in industry; and the approach of the criminal justice system with respect to narcotics and drug law violations and crimes related to drug abuse. The Committee would also be authorized to review Executive branch recommendations with respect to drug abuse and to recommend legislation concerning drug abuse or control to the approriate standing committees of the House.

4. What justification exists for the subject to be investigated by a select committee instead of by one or more of the standing committees?

The need for continuing, comprehensive oversight of drug abuse problems justifies reconstitution of the Select Committee at this time. As the answer to question three illustrates, responsibility for drug abuse concerns in the House is divided among no fewer than 14 standing committees. This fragmentation of jurisdiction prevents any one of the standing committees from examining the issues comprehensively and inhibits a coordinated approach to drug policy questions. Moreover, the pressing demands of the standing committees' many other legislative and oversight responsibilities increase the likelihood that drug abuse issues will "fall between the cracks" due to the lack of time, resources or interest to focus sufficient attention on the problem.

The Select Committee was established initially in the House out of the recognition that drug abuse jurisdiction was fragmented and that combatting the serious problems posed by drug abuse and drug trafficking required full-time, comprehensive, oversight. If reconstituted, the Select Committee would continue to be the only committee in either the House or the Senate whose entire efforts would be focused exclusively on oversight of drug issues. The work of the Select Committee provides a broad perspective not available through any one standing committee and supports the standing committees in the performance of their drug abuse responsibilities. A return to jurisdictional fragmentation now, when drug abuse and drug trafficking are increasing, would be a major setback in the fight against drugs and would signal House indifference to comprehensive oversight of drug problems. Conversely, reestablishing the Select Committee would demonstrate the continuing commitment of the House of effective oversight of these problems.

The Committee's oversight capability would be especially valuable as the Administration moves to implement its drug policies and programs. Within the past few months, the Administration has published its drug strategy as required by law, and announced new initiatives to prevent and control drug abuse. Using the South Florida Task Force as a model, the Administration is establishing 12 new crime task forces across the country to fight organized drug trafficking. In the international area, the strategy calls for enhanced bilateral and multilateral efforts to stem the production of illicit drugs in source countries and stop the worldwide narcotics trade. The strategy also recognizes a continuing Federal responsibility to conduct basic drug research, but in the areas of drug treatment, rehabilitation, prevention and education the strategy emphasizes reliance on states and localities, through new state block grants, and on the private sector. As the Administration begins to carry out its plans and seeks the necessary funding for its programs, the Select Committee would be able to evaluate the impact of Administration decisions on domestic drug law enforcement, international narcotics control, the provision of drug treatment, rehabilitation, prevention and education services, and the maintenance of a viable drug abuse research program.

5. Will the conclusions and recommendations of the proposed select committee have a legislative purpose? Please explain.

Yes. H. Res. 49 authorizes the Select Committee "to recommend to the appropriate committees of the House legislation or other action the Select Committee considers necessary with respect to

programs or policies affecting narcotics or drug abuse or control." In addition the resolution requires that the Select Committee "shall report to the House its recommendations for a comprehensive program to control the worldwide problem of drug abuse and drug trafficking."

The Select Committee's hearings and investigations will monitor the Administration's drug abuse programs and activities and identify problems and issues for the standing committees that will require legislative remedies. Further, to insure that its oversight responsibilities are thoroughly administered, the Select Committee membership includes a representative from each of eight standing committees that have important aspects of drug abuse jurisdiction. This membership provides important liaison in transmitting the Select Committee's findings and proposals to the legislative sessions of these standing committees. The following are examples of the Select Committee's legislative assistance to the Congress.

Drug enforcement legislation

The Select Committee proposed legislation providing for criminal asset forfeitures, increased penalties for drug trafficking, and permitting the Attorney General to use certain proceeds of forfeited property to purchase evidence and other information for drug related investigations. These concepts became part of an omnibus anti-crime package that passed both Houses on December 20, 1982 but was vetoed by the President on January 14, 1983.

Assistance to the standing committees

The Select Committee provided information and views on financial investigations of drug trafficking to the Committee on Banking and Currency during its oversight hearings on the Currency and Foreign Transactions Reporting Act (Bank Secrecy Act); to the Committee on Government Operations on the Government Reports Elimination Act (H.R. 6005, P.L. 97-375) and to the Committee on Post Office and Civil Service on amendments to strengthen the investigatory and enforcement powers of the Postal Service (H.R. 3973) which would help control the growing distribution of look-alike drugs.

6. Is the subject one that can be conclusively studied by the proposed select committee within one Congress? Please furnish an estimate of the time desired.

Drug abuse is not a subject that can be conclusively studied in one Congress. Drug abuse trends and drug trafficking patterns change frequently and often unpredictably. These shifts may occur in response to a number of factors including: government policies and programs such as the South Florida Task Force on Crime which has forced drug smugglers to change their methods and routes; political turmoil in producing nations (Iran, Afghanistan, the Golden Triangle); social upheaval such as took place in the United States during the 1960's; economic conditions; the availability of new drugs or drug combinations (e.g., look-alikes, "T's and Blues") or changes in the supply of heroin and other popular illicit drugs; and changing climatic conditions in growing areas (the two year drought in the Golden Triangle from 1978-1980, for example).

Keeping abreast of new developments in drug abuse and drug trafficking and evaluating the policies and programs that are most effective in responding to these changing circumstances require continuing, comprehensive oversight. If the House is to continue to provide leadership in drug abuse prevention and control, it should consider the establishment of a permanent mechanism for oversight of drug abuse issues. In the interim, the Select Committee will maintain this essential oversight capability.

7. Will the proposed select committee require the power to subpoena witnesses and/or documents? If so, who may administer oaths? Please explain.

Section 4(b) of H. Res. 49 provides that the provisions of clauses 1, 2 and 3 of rule XI of the Rules of the House of Representatives shall apply to the Select Committee. This includes the authority to subpoena witnesses and/or documents provided in clause 2(m) of rule XI. The chairman of the committee or any member of the committee designated by the chairman would be authorized to administer oaths.

The power to subpoena, although rarely exercised by the committee in the past, has proven useful in obtaining the cooperation of witnesses and potential witnesses in committee investigations.

8. What number and type of staffing is anticipated for the proposed Select Committee, (e.g. borrowed from other legislative committees or from Federal agencies, newly employed, professional clerical ratio, experts and consultants, majority minority ratio and limits on compensation)?

As a general guideline, it is proposed that the staff be limited in number, with emphasis on professionals who are strong in analysis and ability to operate with a minimum of layers of supervision. Thus, while the number of staff has ranged from a low of 15 to a high of 23 in full years of operation, it is planned that the number of full time staff positions will not exceed 18 in 1983.

Of these 18 positions, 3 or 4 will be clerical and 14 will be professional. The mix of legal counsel, investigators and administrative staff will be determined by program strategy as it is developed for 1983.

In recognition of the changing nature of the oversight function, with particular emphasis on specialist needs, the budget will include an allocation for specialist consultants who can be engaged on a project basis. (Such consultants might include auditors, physicians, etc.).

To augment these specialists, there will be an effort to draw qualified experts from other legislative committees or from Federal agencies. However, in recognition of the overriding objective of oversight, possible conflict of interest with Federal agencies will be avoided. In any case, all such detailees will be on a gratis basis. In the past, 2 detailees have been supplied by GPO. This practice will be continued.

Compensation will follow the guidelines of the House, as stated in the resolution, Section 5(b) 3.

The ratio of majority to minority staff will be 2 to 1, excepting that 2 or 3 administrative staff would be considered outside this ratio, since they will serve the entire Committee.

The Committee plans to accept interns where available on a gratis basis. However, once again, this number will be limited carefully to avoid diversion of time by professionals to supervise interns.

AVERAGE SIZE OF STAFF 1976–82

	1976 [1]	1977	1978	1979	1980	1981	1982
Professional	8	16	20	17	16	12	12
Clerical	3	6	6	4	3	3	3
Consultant	0	1	1	1	1	0	0
Total	11	23	27	22	20	15	15
Actual number of paid interns	0	10	7	4	6	5	4
Actual number of detailees [2]	1	6	4	5	4	2	2

[1] Began operations September 1976.
[2] This includes GPO workers as well as staff from Customs, NIDA, etc.

9. What type of travel is anticipated (domestic and/or overseas)? If overseas travel is anticipated, what is the justification for granting such authority?

It is anticipated that the Committee will be required to travel domestically and overseas. The problems of drug abuse and drug trafficking are truly global in nature. In the past, the Committee's study missions abroad have helped the Committee to understand better the total dimension of the problems. Through our meetings with leaders of other nations around the world, we have helped make them aware of the dangers that drug abuse presents for their own societies and have encouraged their cooperation in stemming the illicit production and transshipment of drugs in their countries. We believe that continued meetings of this kind are essential to building the international cooperation necessary to attack drug abuse and drug trafficking effectively.

The very nature of the problem frequently requires the Committee to conduct investigations and hearings outside of Washington. The Committee's field hearings and investigations have served to raise public awareness of important drug issues.

At this time, we anticipate a mission to U.S. military bases to survey drug using behavior among U.S. Armed Forces personnel. The Committee has conducted a continuing investigation of drug abuse in the military and this mission would permit essential follow-up activities to be undertaken.

10. What is the estimate of the total cost for the operation of the proposed Select Committee?

It is estimated that the annual cost of operating the Select Committee will be $689,000 of which approximately 85% will consist of salaries and 15% for all other operating expenses.

Reference to the historical record of Select Committee funding indicates that this request is approximately $63,000 more than the previous high expenditures of approximately $637,000 in 1978. House Administration estimates that average committee staff salaries have increased approximately 22% since 1978. Thus, for comparison, the 1978 program would have cost $787,000 in 1983 funds. The requested authorization is under the $700,000 mark, as com-

pared to the $722,000 authorization in 1977 and 1978 and the $700,000 authorization in 1979. Our judgment is that the requested funding is a conservative and minimal need to do the job.

As previously described, the problem of drug abuse has increased during the past few years. In relation to statistics such as a high of $89 billion in illicit retail sales, as well as the social costs of drug abuse on the health care, law enforcement and judicial systems, the cost of an effective and comprehensive oversight committee becomes miniscule.

Recent trends of Federal Strategy involve many more agencies, task forces, and complex interrelationships both on the national and international scene. At the same time, the realities of the Federal budget demand that all these activities be as cost effective as possible. To do an effective and professional job of oversight requires a group of professionals. As detailed in response to Question #8, prudent judgment dictates the need for this amount of funding to man the staff with such professionals.

SELECT COMMITTEE FUNDING: 1976–82

Year	Requested	Authorized	Expended	Returned [1]	
				Amount	Percent
1976	$111,667.00	[2] $111,667.00	$81,438.48	$30,228.52	27.1
1977	722,204.00	[3] 722,204.00	508,992.43	213,211.57	29.5
1978	793,500.00	[4] 722,204.00	637,280.90	84,293.10	11.8
1979	815,000.00	[5] 700,000.00	535,030.66	164,969.34	23.6
1980	762,000.00	[6] 600,000.00	557,712.69	42,287.31	7.0
1981	551,173.00	[7] 540,000.00	522,355.78	17,644.22	3.3
1982	540,000.00	[8] 540,000.00	[9] 490,000.00	[9] 50,000.00	[9] 9.3

[1] Parentheses indicate percent of authorized funds returned.
[2] H. Res. 1472 (94th Congress, 2d session), passed 9/2/76 (voice vote).
[3] H. Res. 269 (95th Congress, 1st session), passed 3/9/77 (voice vote).
[4] H. Res. 1104 (95th Congress, 2d session), passed 2/15/78 (voice vote).
[5] H. Res. 174 (96th Congress, 1st session), passed 4/5/79 (voice vote).
[6] H. Res. 572 (96th Congress, 2d session), passed 3/11/80 (252–146).
[7] H. Res. 115 (97th Congress, 1st session), passed 3/25/81 (231–171).
[8] H. Res. 378 (97th Congress, 2d session), passed 3/31/82 (282–132).
[9] Estimate based on expenditures of $487,295.91 through Dec. 31, 1982.

COMMITTEE ACTION

On February 1, 1982, the Committee on Rules, which has original jurisdiction over establishment of select committees, held a hearing on House Resolution 49. Testimony in support of the resolution was heard from Representatives Rangel and Gilman. Representative Moakley offered a motion to report the resolution to the House without amendment with the recommendation that the resolution pass. House Resolution 49 was ordered reported by voice vote, a quorum being present.

STATEMENT UNDER CLAUSE 2(L)(3) OF RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

A. Oversight statement

The committee made no special oversight findings on this resolution.

B. Budget statement

No budget statement is submitted.

C. Estimate of the Congressional Budget Office

No estimate or comparison was received from the Director of the Congressional Budget Office as referred to in subdivision (C) of clause 2(l)(3) of the House rule XI.

D. Oversight findings or recommendations of the Committee on Government Operations

No findings or recommendations of the Committee on Government Operations were received as referred to in subdivision (a) of clause 2(l)(3) of House rule XI.

DISSENTING VIEWS OF HON. TRENT LOTT

The Select Committee on Narcotics Abuse and Control was first established in 1976 during the 94th Congress. This select committee was supposed to expire at the end of the 95th Congress, but, as a result of continual reestablishments, is still in existence. Select committees have always been understood to be temporary in nature. I feel its continued existence to be duplicative and have to question the justification for its continuation.

Let it be understood that I agree that drug abuse and drug trafficking are among the most serious social problems facing the nation today, effecting each and every Congressional district. But serious problems must be met with effective short-term and long-term solutions, not studies, strategies and insights.

The Subcommittee on Legislative Process has set six guidelines for the establishment and reauthorization of select committees. The stated purpose of such guidelines is that "the proliferation of such committees adds to spiralling congressional costs, exacerabates already serious space problems, imposes additional committee burdens on Members, and may interfere with the effectiveness of the standing committee system".

The first of these guidelines states that "the proposed select committee must deal with a significant and major issue". The need for immediate and timely solutions to the drug problem is undeniable. This select committee has been in existence for six years, and we have yet to see any tangible progress toward solving the drug problem.

The second guideline states that "the present committee system does not address the issue effectively". The jurisdiction concerning drugs and drug-related matters is indeed overlapping, effecting at least eight standing committees of the House. In addition there are over one hundred Federal agencies, including the Drug Enforcement Agency, the Federal Bureau of Investigation, the Coast Guard and the Customs Service, with jurisdiction over drug control. This does not include an ever-increasing number of state and local agencies and organizations dealing with the same issue. The Select Committee on Narcotics Abuse and Control was formed to provide a comprehensive and coordinated approach to the issue. Unfortunately, the select committee has not been a sufficient integrating force. Each committee, agency or other organization has a tendency to still do things in their own way.

The third guideline states that "the subject matter and the objectives of the proposed select committee must be clearly defined". The Subcommittee on Legislative Process also felt that a narrowly defined proposal was far better than a broad and complex one. As I have stated above, the complexity of jurisdiction over this problem has led to inaction toward a solution. In September of 1980, the select committee reached the same result in recommending a new

and permanent committee on oversight over drug abuse problems. In defending their recommendation, the select committee said ". . . based upon four years of experience in dealing with drug abuse problems, we have reached the firm conclusion that a temporary body such as the select committee is no longer an appropriate vehicle for responding to the chronic and complex problem of drug abuse".

The fourth guideline states that "the method of inquiry and expected products of the proposed select committee must be clearly stated". Two years ago our former colleague, Mr. Rhodes of Arizona proposed an amendment, adopted by the Rules Committee, which would require the select committee to submit a report to the House recommending a comprehensive program to control the worldwide problem of drug abuse. Mr. Rhodes felt that "with this mandate in its authorization, I feel the select committee's existence is justified for an additional two years". That report was a brief statement which is almost indiscernible.

The fifth guideline for and most important characteristic of a select committee is that "a definite length of time for the proposed select committee to exist must be specified". When the select committee was first organized, it was to expire at the end of the 95th Congress, which was four years ago. We are now being asked to extend it to eight years. A select committee seeking reauthorization must justify any extension of their existence. I do not feel that there is justification for its continuence for the reasons I have stated above.

The sixth and final guideline states that "cost factors involved in the creation of a select committee must be outlined". It is absolutely necessary that costs be kept to a minimum during these trying times. We need to cut back on our own expenditures, as we urge the rest of the government and the people of this country to do the same. How can we justify asking the executive branch to cut expenditures when this duplicative committee has spent $3.3 million with few results to justify the cost?

Under the Legislative Reorganization Act of 1970 and subsequent reform amendments, established committees have the legislative jurisdiction, as well as oversight and investigative capabilities. Let the established committees do their jobs. The extension of the Select Committee on Narcotics Abuse and Control through the 97th Congress has given them more than enough time to produce some tangible results.

TRENT LOTT.

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